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ABSTRACT

The author purports the need to control technology for the well-being of mankind by understanding and cultivating its beneficial features and countering its harmful effects and misuse. The intent of the paper is to alert social studies teachers to the responsibility of bridging the gap between scientific and technological knowledge and civic and managerial wisdom to understand the earth's resources. Although the accomplishments of technology are significant, technology has created many opportunities for encroachment on human rights. These threats can jeopardize constitutional rights with electronic surveillance, impair the quality of living with air and water pollution, and denigrate human dignity by assaulting sensibilities. While all three of these consequences threaten the quality of life, it is difficult for one or a few individuals to assert their rights to prevent such disturbances. Social studies teachers have the responsibility to educate about fundamental rights under the government to avoid manipulation by an oligarchical tech-bureaucracy in the future. They must seek to answer the following questions: (1) How can technology respond to societal needs without being destructive of human values and rights? (2) What is the responsibility of individuals and institutions in managing technology? and (3) How can we achieve an acceptable balance between conflicting interests? (Author/DE)

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IMPACT OF TECHNOLOGY ON HUMAN RIGHTS: RESPONSIBILITIES AND OPPORTUNITIES FOR THE SOCIAL STUDIES*

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Although there is impressive evidence that technological innovations have enormously advanced the material and physical aspects of our lives (notwithstanding periodic and assorted disastrous accidents), it is clearly discernible that these technological developments (and their attendant systems and institutions) have created some very threatening conditions to our very lives, our liberties, and indeed to our property--property to which we hold title and property to which we have legitimate tenancy claim, namely, the environment in which we live and without which we would die--as have species before us when environmental conditions became too inhospitable.

Although we are belatedly realizing that the resources we draw upon are limited, we are still tempted to mortgage our future, as evidenced by our modifying or even waiving recently established environmental impact considerations when confronted by current so-called shortages. Some economic dislocations are admittedly severe and testify to the dictum that technology (as does warfare) breeds its own systems, institutions, and establishment--each with requirements to which we become enslaved rather than served, despite denials by the techno-bureaucracy with its siren call to efficiency and abundancy.

The social studies have well established the concept that actions and institutions ensue from ideas stemming from attitudes, objectives, and technical abilities of a given society. As a consequence, different societies will find

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varying uses, or no use at all, of a given resource.

Likewise, the same society with the passage of time and a change of attitude, objectives, or technical abilities will find use and/or different use of a resource which at an earlier time was not so recognized. It is said that an early twentieth century American dictionary declared uranium a useless ore not found in any quantity in North America. As this country assumed global responsibilities in the post World War II period, our use of resources and priorities about them changed drastically, as we coupled new scientific knowledge and attendant technological developments with new national objectives.

For the social studies the responsibilities are clear and the opportunities abound for the social studies to bridge the gap between brilliant scientific knowledge (which led us to the remarkable benefits of technology) and our civic and managerial wisdom, still lagging, to understand earth's resources are merely instrumental values to the ultimate values--human life and the attendant quality of living. As John Ruskin wrote, "There is no wealth but life." We tend to forget this dictum when we are dazzled by all the seemingly valuable things we produce until we are reminded that not one of them can we take with us when we die. The issue is not whether or not technology is here to stay; it is, and it will advance at accelerating rates, as it always has, and it will pose choices for mankind that range from the so-called Promised Land to nuclear annihiiation. The issue is not whether or not technology is neutral; it is. The issue is that it is, has been, and always will be in unneutral hands, for better or worse. The issue is not whether or not to damn technology; the issue is to harness it for the well-being of mankind, by understanding and cultivating its beneficial features and countering its harmful effects or malicious misuse. It is within the ambit of the social studies to raise the pertinent

questions and to help find the answers that lead toward a better life for all people.

Without doubt technological developments have promoted personal security ranging from warnings and/or prevention of hazardous conditions to crime prevention and detection. Technology has dramatically increased our mobility and accelerated our communications. Medical technology and bio-engineering have decreased mortality rates, increased life expectancy, and has increased the choices available in terms of life's milestones--conception, abortion, birth, remedial surgery, life saving transplants of vital organs, and mechanical life-support systems. Controversial as some of these are, the fact remains that these medical technologies have actually contributed to the development of heretofore unrecognized rights. The Supreme Court has put its imprimatur on the right of contraception and the right of abortion under certain circumstances (not to mention the right of court-ordered surgery and/or transfusion). In so doing, the court has embellished on the right of privacy, a right that is older than the Bill of Rights itself, indeed older than goverment itself.

The Supreme Court in invalidating the Connecticut statute outlawing contraception information (Griswold v. Connecticut, 1965) reiterated the higher law content implicit in the U.S. Constitution and expressed in the Ninth Amendment, "The enumeration... of certain rights shall not be construed to deny or disparage others retained by the people."

But in Roe v. Wade (1973) the Supreme Court preferred the Fourteenth Amendment concept of personal liberty and restrictions on state action as a basis for invalidating anti-abortion legislation, noting that a woman was by Texas statute barred entirely from any choice whatsoever even though the state's "compelling state interest" would not be present in all instances. Yet the

privacy right involved is not absolute and must be weighed with other considerations when important state interests are present. While the great prize sought on a controversial issue such as the abortion question is a judicial determination, usually issues remain, as in this case. Absolute right either for the woman or for the fetus is precluded. The status of the fetus alone as it relates to life is so complex that even medical knowledge is somewhat imprecise as to when "quickening" takes place, so it is no wonder that the law suffers contradictions. For example, laws against abortion made no provision for a murder charge, yet the courts stayed the execution of a pregnant woman sentenced to death until after the child was born. No death certificate is required for an aborted conception, yet under certain circumstances a yet-to-be born child has inheritance rights. Some claim it is a religious issue and therefore a violation of God's law which should be implemented by statute. Yet if it is solely a religious matter, does it lend itself to statutory regulation in view of the First Amendment?

These issues illustrate in microcosm the complexity of many of the controversies over rights in the field of medical technology and are reminders that technological innovation precipitate many questions involving human rights.

The effects of technology have resulted in a redefinition of some rights, as symbolized by the now defunct requirement that a horse and buggy no longer have right-of-way over cars (a statutory change occurring within the lifetime of many of us). The public interest factor in the pervasive impact of technology has brought not only regulation to prevent abuse, but the right of reasonable expectation that is grounds for lawsuit and damages, as an airline company found out when it reneged on reservation for Ralph Nader.

It is not that every personal grievance can or should be converted into federal right, but the facts are that in law it is recognized that a right not

asserted is a right not held and that our claim to rights is open-ended by virtue of the Ninth Amendment.

Both the natural rights philosophy and divine rights theory embrace the rights of life, liberty, and property. True, not all aspects of these three categories of right have yet found constitutional expression, partly because they have not yet been asserted and partly because the Supreme Court is usually cautiously slow in giving expression to "new" rights--rights which in theory pre-date government and sometimes need a judge to gain acceptance via the courts, the legislature, or the ballot box.

For all the accomplishments of technology, some of which are accepted with reasonable equanimity and even welcomed, it should be of tremendous concern to social studies teachers the fact that technology has created the opportunities for serious encroachments on human rights, jeopardizing constitutional guarantee rights particularly in the field of electronic surveillance and dataveillance), impairing some aspects of the quality of living (exemplified by pollution of the air, water, and landscape), and denigrating human dignity and/or individuality by assault upon the nose, ears, eyes, lungs, skin and even our sensibilities. While all three of these consequences are threatening to the quality of living it is extremely difficult for one or a few individuals to assert as rights what has in some cases little recognition in law as rights of all. After all, even the Supreme Court said in 1857 that the slave, Dred Scott, had no status to sue! Over 100 years later the effort to achieve national sensitivity awareness of racism is still in embattled progress. It is to be acknowledged that technology--in this case most dramatically illustrated by television--has furthered the cause of equality by the new prominence given to, and wider acceptance thereby gained of, minorities just a couple of decades after network programs showing black men on programs with white women were blacked out in certain localities in the United States. In its own way

television was coming to grips with the endemic and even systemic racism prevalent in the country.

Technology is similarly systemic and pervasive resulting in an institutionalized or impersonal type of discrimination against individuals who do not adjust or otherwise accept the norms which are given pseudo-validation by the computers. Data storage and retrieval (sometimes indiscriminate and unauthorized) by computers that are non-corrective, non-forgetting, and non-forgiving is a systemized exercise of power which can destroy the innocent and deny redemption to the guilty. Recent disclosures of unauthorized FBI activity and of IRS scrutiny to buttress a highly publicized "enemy list" are strides toward Orwell's 1984 a year ten years away by the calendar but much closer by other measurements. It was two or three years ago that the government proposal was advanced to give all incoming fifth graders each year a social security number before significant school dropout rate began. It was last summer an invitation to a pay-in-advance academic credit seminar in Washington D.C. was received, stipulating that failure to give social security number would result in application not been processed!!

These systemic tendencies and other periodic incursions on our human rights(such as unauthorized electronic monitoring of private situations, so-called truth revealing processes and serums which are potentially intimidating and coercive, sterilization without consent or even knowledge, unwitting but neverthless disastrous use of drugs thought to be remedial (like thalidomide) but too late discovered to be in fact harmful), are violative of the essence of ourselves. The technological potential of ABC warfare for "crimes against humanity" is manifest. Perhaps we are indebted to mass media technology for perceiving the horror of a war we did not enter by provision outlined in the constitution. The alleged "compelling state interest," cloaking the components of technologies own professed requirements "without which we cannot

survive," tends to become an end in itself rather than government being an instrument "to secure these rights," as set forth on the parchment of our national birth certificate.

In some respects we as individuals are technology's Dred Scotts. We have trouble finding ways to combat individually the demeaning and alienating aspects of technology's seamy side. The Supreme Court seemingly crippled the promising new use of class action suits last year, not without some justification. However, other developments are more promising, such as the revival of the Freedom of Information Act of 1974, extending the scope and intent of the original one passed in the mid-sixties. The National Environmental Protection Act of 1969 mandates that federal agencies give leadership and be example-setting in guarding the health, safety, and quality of life when undertaking major technological projects. The courts have generally been vigorous in compelling re-examination for environmental impact of technological innovation even to the point of becoming a participant super-legislature itself, a danger to our constitutional process demanding our attention even as we may applaud the judiciary's determination to save the nation for ourselves and our posterity from the ravages of technology.

If governments are indeed to derive their just powers from the consent of the governed and for the purpose of securing (safeguarding) our God-given or natural rights, then social studies instructors have a prime responsibility to educate (in its original Latin meaning "to lead forth") about fundamental principles underlying our governance system and ideals, including the higher law content, so that "who is to decide who is to be manipulated and for what ends" will not be programmed by cybernetic decision control by an oligarchial tech-bureaucracy.

Responsible social assessment and managemnt of technology is within our

grasp, without totalitarianism, if we promptly ascertain our instrumental values and their priorities, another area for social studies analysis and leadership.

As social studies educators, we must pursue the answers to questions associated with determining realistic and acceptable goals society may demand for itself. These questions include: How can technology respond to societal needs without being destructive of human values and rights? What is the responsibility of each of us, as social studies teachers and as citizens? What is the responsibility of institutions, private and public? How can the concerned groups communicate effectively with one another to achieve an acceptable balance of seemingly conflicting interests? We must seek these answers in order to preserve a meaningful civic and personal worth for the individual, whose future seems increasingly channelled and mortgaged. The social studies must give civic substance to Jefferson's personal pledge, "I have sworn upon the altar of Almighty God to oppose any form of tyranny over man."